

May 7th, 2006.

Robert Harnais, Esquire
General Counsel, Norfolk County
Sheriff's Office
200 West Street
Dedham, MA 02027

FILED
CLERKS OFFICE

2006 MAY 16 P 3:24

U.S. DISTRICT COURT
DISTRICT OF MASS

RE: McGuinness vs. Bender, et al.
U.S.D.C. Civil No.05-11738-EFH

Dear Mr. Harnais:


I am writing to you in an attempt to avoid the necessity of having the state pay for and effect service upon a few of the officials at the jail in Dedham. Fed. R. Civ. P. 4(d) imposes on parties an obligation to save the costs of service where possible. I am not only indigent, I am completely unable to pay for any of the costs of litigation as a result of the DOC having "frozen" my account.

As you can see from the enclosed materials, I have initiated an action in federal court against the DOC. Recently, upon my request, Judge Harrington allowed me to file an amended complaint which is aimed at the Norfolk County Sheriff's Office. The claims I am pursuing deal with the due process rights of pretrial detainees.

At any rate, I am asking you as General Counsel to waive the cost and necessity of formal service of process. A simple check with the clerk in regard to the above matter will show that the complaint against Dave Reilly, D.O.S. Castille and Superintendent Matesanz has been allowed to proceed. I am enclosing, as the rule requires, a SASE in the event that you decide to respond to me. I hope that you will.

Thank you. Respectfully,

cc. Clerk, U.S District
file.


Brendan M. McGuinness
S.B.C.C.
P.O. BOX 8000
SHIRLEY, MA 01464